

DD/A 75-1240

Ad Hoc Staff

75-81

10 March 1975

MEMORANDUM FOR: Principals of the USIB Ad Hoc Coordinating Group on Congressional Review

SUBJECT : Sixth Meeting (7 March 1975) of the Ad Hoc Group on Congressional Review of the Intelligence Community

1. The Ad Hoc Group met at 1015 hours in the DCI Conference Room, CIA Headquarters.\*

25X1A 2. [ ] reported that the Director had asked at USIB that the Ad Hoc Group exchange data on the practices of the Intelligence Agencies in responding to requests under the Freedom of Information Act and keep USIB Principals currently apprised of the subject matter of the requests in order to preclude inconsistent and duplicative responses. He particularly urged a coordinated approach to denials and appeals and/or court actions that could occur. [ ] reiterated the role of Mr. Silberman on these matters and the importance of assuring both White House and Justice Department inputs. Mr. Warner, CIA General Counsel, briefed the Group on the practice which CIA is following in this matter. (See paragraph 9.) 8?

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25X1A 3. [ ] briefed the Group on his recent meeting with Representative Robert McClory, Vice Chairman of the House Select Committee. Representative McClory indicated his lack of background knowledge on U.S. intelligence activities and requested of the DCI material which would enable him to improve his understanding. In response to this request, the Director authorized copies of the Annexes be provided to the House Select Committee Chairman, Mr. Nedzi. Representative McClory further expressed the hope that as much material as possible could be provided the Committee in unclassified form. He also indicated he had need for a better appreciation of the CIA's and the FBI's roles for counterintelligence in the U.S. and abroad.

\* See list of attendees attached.

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25X1A 4. CIA Legislative Counsel, George Cary reported on the interest of the Congressional Judiciary Committee in any material related to mail intercepts, and the concurrent responsibilities and interests of other Congressional standing committees on selected subjects. There followed a general discussion on the overlapping interests of the various Congressional committees, and the necessity for each agency to follow these matters and where appropriate raise at future ad hoc sessions. [ ] noted that every agency has separate vehicles to respond to Congress and he observed that Ad Hoc Members were not always aware of their agencies' Congressional tactics on response. He urged members to exercise close collaboration with the appropriate Congressional liaison elements of their agencies. It was also suggested that duplicative requests might be coordinated through the Select Committees.

25X1A 5. [ ] covered with the Group two further meetings which had been held with Messrs. Miller and Schwarz. He advised that a meeting is also scheduled for Tuesday, 11 March, with Messrs. Miller and Schwarz to review the Committee's proposals on Secrecy Agreements--to be attended by Mr. Wilderotter, Justice, Mr. Warner, 25X1A CIA, and [ ] also outlined a draft letter from the DCI to Senator Church and advised that this along with an associated Employee Notice is currently under review by Mr. Buchen, Counsel to the President. A draft copy of the proposed CIA Employee Notice was furnished the Ad Hoc Members.

25X1A 6. [ ] then referred to his memorandum of 4 March 1975. He advised the Group that he had attempted to reduce the burdensome detail requested of Community entities for organizational history, and outlays and cash-flow data, and had been unsuccessful. He explained that the Senate Committee's primary interest in financial data is to assure that monies were expended for the purposes appropriated. 25X1A Mr. Collins, Treasury Representative, inquired whether the agencies would receive individual requests for the data. [ ] reiterated the point made in his memo that the Committee planned to request data directly from each agency and that the referenced memo simply 25X1A put all agencies on notice now of the coming requests. [ ] suggested all would be well advised to begin preparation.

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7. [ ] Assistant to the Director, CIA, reported on the CIA's experience in responding to detail queries from the President's Commission. He reviewed the practice of using IDENT numbers in lieu of names in documents and the policy guiding the review, loan and retention of documents. In review by Commission personnel, there has been access to some files; in the loan of documents, no deletions are made but the Third Agency Rule is communicated; in the retention of documents the IDENT is inserted and no documents of third agencies are provided without the approval of the third agency.

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[ ] emphasized that there has been no final determination on how these practices will apply to Congressional Committees' reviews, but the DCI felt they provided one viable formula. To date, the problem of compartmented information has not arisen.

8. CIA General Counsel, John Warner, outlined the CIA policy and experience in dealing with overlapping voluminous requests under the Freedom of Information Act. He urged this information be passed on to Ad Hoc Principals and to appropriate offices in each agency dealing with these requests. He reported on the Helperin requests where agreement had been reached to respond on individual items within stated time periods, and negotiations to extend others and delete some were successful. The magnitude of the estimate costs of responding were significant.

9. ERDA Representative, Mr. Upchurch, requested that the minutes reflect that clearances under way for the Senate Select Committee Staff personnel were at the Top Secret level, and not the Q level as previously reported.

10. The following material was provided the Ad Hoc representatives. (1) Copy of the Statement of W. E. Colby, Director of Central Intelligence Before the Government Information and Individual Rights Subcommittee of the House Government Operations Committee, 5 March 1975; (2) Material on Requests for Information Under the Freedom of Information Act, with covering letter to the Assistant Attorney General from CIA General Counsel dated 22 February 1975; and (3) a request to Ad Hoc Members signed by the Executive Secretary, to classify "Confidential" a Memorandum for the Record prepared by [ ] dated 28 February 1975, dealing with certain concerns of Treasury. As suggested by Treasury, this Memorandum for the Record was inadvertently and improperly circulated.

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<input checked="" type="checkbox"/> UNCLASSIFIED	<input type="checkbox"/> CONFIDENTIAL	<input type="checkbox"/> SECRET

### OFFICIAL ROUTING SLIP

TO	NAME AND ADDRESS	DATE	INITIALS
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2	DDA	3/18	<i>[Signature]</i>
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Remarks:

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<i>[Signature]</i>	12 MAR 1975

<b>TRANSMITTAL SLIP</b>		DATE
TO: Mr. Charles W. Kane		
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FROM:		
ROOM NO. <i>02</i>	BUILDING	EXTENSION

FORM NO. 241  
1 FEB 55

REPLACES FORM 36-8  
WHICH MAY BE USED.

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